

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY STEWART,
 Plaintiff(s),

v.

NICOLETTE JOY HAWKINS, et al.,
 Defendant(s).

Case No. 2:23-cv-00277-MMD-NJK

ORDER

[Docket No. 54]

Pending before the Court is Plaintiff's motion requesting the Las Vegas Metropolitan Police Department ("LVMPD") to file the last known address of Defendant Schreiner under seal. Docket No. 54.¹ No response was filed. The motion is properly resolved without a hearing. *See* Local Rule 78-1.

Plaintiff attempted service once on Defendant Schreiner through LVMPD. *See* Docket No. 19. Because Defendant Schreiner is no longer employed by LVMPD, however, service was not effectuated. *See id.* Plaintiff's current motion seeks information from LVMPD as to Defendant Schreiner's current address to attempt service again. *See* Docket No. 54 at 1.²

LVMPD is not a party to this case, so Plaintiff's request is more naturally considered as seeking a subpoena for the information sought. *See McGee v. Cnty. of Riverside*, 2022 U.S. Dist. Lexis 193707, at *2 (C.D. Cal. Oct. 21, 2022). While such a subpoena is potentially available to Plaintiff, parties have a duty to avoid unnecessary service expenses, Fed. R. Civ. P. 4(d)(1), and courts generally refrain from utilizing the subpoena process for similar types of information when

¹ The Court liberally construes the filings of *pro se* litigants, particularly those who are prisoners bringing civil rights claims. *Blaisdell v. Frappiea*, 729 F.3d 1237, 1241 (9th Cir. 2013).

² No explanation is provided as to why Plaintiff is seeking Defendant Schreiner's banking information, *see id.*, so that request will be denied.

1 opposing counsel may readily provide it, *see, e.g., Picozzi v. Clark Cnty. Det. Ctr.*, 2016 U.S. Dist.
2 Lexis 152607, at *5-6 (D. Nev. Nov. 2, 2016); *McGee*, 2022 U.S. Dist. Lexis 193707, at *2.

3 To expedite resolution of the case on its merits and in lieu of directing issuance of a
4 subpoena *duces tecum*, the Court will direct counsel for Defendant Hawkins to investigate whether
5 LVMPD has a last known address for Defendant Schreiner. *See id.* at *6. Counsel must file a
6 notice on the public docket identifying whether LVMPD has such information. If LVMPD does
7 have such information, counsel must file under seal the last known address for Defendant Schreiner
8 by June 11, 2025. Doing so will protect the confidential information of law enforcement personnel,
9 while providing sufficient information for the United States Marshals Service to attempt service
10 again. If contact information is provided by counsel, Plaintiff must file a motion requesting an
11 order for the Marshals Service to attempt service again. Plaintiff must file this motion by June 25,
12 2025.

13 As stated above, the Court **GRANTS** Plaintiff's motion requesting the LVMPD to provide
14 the last known address of Defendant Schreiner to the Court under seal. The deadline to effectuate
15 service is **EXTENDED** to July 30, 2025.

16 IT IS SO ORDERED.

17 Dated: May 28, 2025

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21 Nancy J. Koppe
22 United States Magistrate Judge
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